

### REMARKS

This responds to the Office Action mailed on June 12, 2008.

Claims 1, 8, and 15-18 are amended, and no claims are cancelled or added; as a result, claims 1-18 remain pending in this application.

#### §103 Rejection of the Claims

Claims 1-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ishibashi (U.S. Patent 5,695,188) in view of Landis (U.S. Publication No. 2004/0235545 A1).

Ishibashi describes a wagering game machine that is operable to present audio sound when symbol columns in a wagering game machine are moved and stopped. In one embodiment, different sounds are generated for each of the symbols passing on the winning line while each of the columns is moved. In an alternate embodiment, different sounds for each reel symbol are presented when the reel symbols are stopped on the winning line when each of the plurality of reel columns are stopped. Sounds are not presented such that they appear to a game player to come from the physical location on the display of the displayed game element, and are not movable in apparent location.

Landis describes a system for playing an interactive game, comprising receiving directional audio cues from a multichannel surround sound system. The game player physically moves about the space *in a room* surrounded by speakers to act out various scenes or perform other actions based on directional audio cues *that appear to come from different physical locations in the room*.

In some examples, Landis includes visual cues synchronized with the audio cues to aid the player. More specifically, a television is used in some examples to show which speaker *in a surround sound audio environment in a physical room* the game player should be near, may show objects near certain speakers playing sounds associated with those objects, or may show a posture the player should take (*see*, col. 3, ¶34-36; Fig. 3).

More specifically, Landis uses sound to direct a game player to approach a certain speaker in a game space that comprises a room, or the area surrounded by the speakers, such that

the sound is associated with a speaker or player position in the room, rather than appearing to come from a graphical representation of an object on a display screen.

The Office Action argues that Landis could use the two front side channel speakers to appear to come from a physical location on the display, but Landis does not teach doing this. Further, if Landis were architected to coordinate the apparent position of sounds the physical position of objects on the screen, all sounds would come from the center channel speaker, which is the only speaker located anywhere near the display (*see*, Landis, Figure 1).

Nonetheless, applicant has further amended the claims to reinforce the differences between Landis and what is claimed. More specifically, each of the independent claims has been amended to now recite not only that the audio cues in the wagering game appear to a game player to come from the physical location on the display of a displayed game element, but also that the the audio cues are movable to different physical locations on the display to reflect the physical location of a desired game element on the display.

The amended claims therefore more clearly recite that the apparent location is a specific, movable location on the screen rather than a general appearance of being from a speaker located near the screen. Landis nowhere discusses moving the apparent position of the sound around to different positions on the display, but instead teaches only moving the apparent sound from speaker to speaker within a room, as shown and described in Figure 1 and elsewhere.

Because the claims as amended are patentably distinct from the prior art as explained in greater detail above, applicant respectfully requests reexamination and allowance of the amended independent pending claims 1, 8, 15, 16, 17, and 18, and of their dependents. Although applicant believes the claim limitations clearly distinguish the pending claims from the known references and are allowable as written, the Examiner is invited to telephone Applicant's representative at (612) 349-9581 to resolve any remaining issues to facilitate prosecution of this application.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 349-9581 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By



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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of September, 2008.

Zhakalazky M. Carrión

Name

  
Signature